

**The Department of Community Planning & Development**  
**City Hall, Lynchburg, VA 24504** **434-455-3900**

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**To:** Planning Commission

**From:** Planning Division

**Date:** January 12, 2005

**Re:** **CONDITIONAL USE PERMIT (CUP): The Williams Home, 1201 Langhorne Road**

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**I. PETITIONER**

The Williams Home, 1201 Langhorne Road, Lynchburg, VA 24503

**Representative:** Patrick Proffitt, Hurt & Proffitt, Inc., 2524 Langhorne Road, Lynchburg, VA 24501.

**II. LOCATION**

The subject property is a tract of about 5.84 acres located at 1201 Langhorne Road.

**Property Owners:** The Williams Home, 1201 Langhorne Road, Lynchburg, VA 24503

**III. PURPOSE**

The purpose of this petition is to allow construction of an addition to The Williams Home, a retirement community for women aged fifty-five and over who are active and able to live independently.

**IV. SUMMARY**

- Petition agrees with the *Comprehensive Plan* which recommends that institutional uses in residential neighborhoods be compatible in scale and design with the surrounding residential uses.
- Petition agrees with the Zoning Ordinance in that group homes are permitted in R-1, Low Density Single-Family Residential Districts with approval of a Conditional Use Permit (CUP) from the City Council.
- Petition proposes the use of this site for an expanded retirement home for women aged fifty-five and over who are active and able to live independently.

**The Planning Division recommends approval of the CUP petition.**

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**V. FINDINGS OF FACT**

1. **Comprehensive Plan.** The Lynchburg *Comprehensive Plan* recommends residential uses for this area. The Plan recommends that institutional uses, like The Williams Home, that are located in residential neighborhoods be compatible in scale and design with residential uses. The proposed addition will be one story in height, constructed of materials similar to those in the existing building, and will be sited further than the required setback from the adjoining residential uses.
2. **Zoning.** The subject property was annexed into the City in 1926. The property has been zoned for residential uses since 1930. The existing R-1, Single-Family Residential District zoning was established in 1978 with the adoption of the current *Zoning Ordinance*.
3. **Board of Zoning Appeals (BZA).** The Zoning Official has determined that no variances will be needed for the proposed expansion.
4. **Surrounding Area.** There have been several items requiring City Council approval in the immediate area:

- 12/11/1979: City Council approved a Conditional Use Permit (CUP) for Virginia Baptist Hospital for an expansion of hospital facilities at 3300 Rivermont Avenue.
- 7/10/1984: City Council approved the petition of United Methodist Homes to rezone approximately 10 acres from R-1, Single-Family Residential District, to R-4C, Multifamily Residential District (Conditional), to allow use of the property as a retirement community with a health care facility at 1000 Villa Road.
- 8/13/1985: City Council approved a Conditional Use Permit (CUP) for Virginia Baptist Hospital for construction of a helistop at 3300 Rivermont Avenue.
- 11/11/1986: City Council approved a Conditional Use Permit (CUP) for First Christian Church for a building addition with classrooms and offices, and a parking expansion at 3109 Rivermont Avenue.
- 4/14/1987: City Council approved a Conditional Use Permit (CUP) for Virginia Baptist Hospital for expansion of an existing parking lot on Vassar Street.
- 9/8/1987: City Council approved a Conditional Use Permit (CUP) for Virginia Baptist Hospital for expansion of a parking lot on Vassar Street.
- 4/12/1988: City Council approved the petition of M. Van and Carrie Lewis to rezone approximately 7.2 acres from R-4C, Multifamily Residential District (Conditional), to R-4C, Multifamily Residential District (Conditional), to allow use of the property for an educational facility with boarding capability at 1000 Villa Road (the site plan and proffers from the 1984 rezoning were amended).
- 4/12/1988: City Council approved a Conditional Use Permit (CUP) for M. Van and Carrie Lewis to operate an educational facility with board capabilities at 1000 Villa Road.
- 11/8/1988: City Council approved a Conditional Use Permit (CUP) for Virginia Baptist Hospital to allow operation of a childcare facility at 1343 Oak Lane.
- 2/14/1989: City Council approved a Conditional Use Permit (CUP) for Virginia Baptist Hospital for a Master Plan for facilities at 3300 Rivermont Avenue.
- 12/12/1989: City Council approved a Conditional Use Permit (CUP) for Oakwood Country Club to allow construction of a pool house and additional parking at 3409 Rivermont Avenue.
- 4/10/1990: City Council approved a Conditional Use Permit (CUP) for Virginia Baptist Hospital for a parking lot expansion at Vassar Street and Oak Lane.
- 2/9/1993: City Council approved a Conditional Use Permit (CUP) for Virginia Baptist Hospital for construction of a two-story parking deck on Vassar Street.
- 9/14/1993: City Council approved a Conditional Use Permit (CUP) for Holy Trinity Lutheran Church for installation of a columbarium at 1000 Langhorne Road.
- 8/9/1994: City Council approved a Conditional Use Permit (CUP) for Oakwood Country Club for construction of an indoor tennis facility with adjacent parking at 3409 Rivermont Avenue.

- 7/8/1997: City Council approved a Conditional Use Permit (CUP) for Virginia Baptist Hospital for a building addition and access improvements at 3300 Rivermont Avenue.
  - 4/13/1999: City Council approved a Conditional Use Permit (CUP) for Oakwood Country Club to convert existing tennis courts to an indoor tennis facility at 3409 Rivermont Avenue.
5. **Site Description.** The subject property is bounded to the north, east and south by residential uses. To the west, the subject property adjoins Virginia Baptist Hospital.
  6. **Proposed Use of Property.** The purpose of the CUP is to allow construction of an addition to The Williams Home, a retirement community for women aged fifty-five and over who are active and able to live independently. The new building will include ten residential rooms to replace those in the main structure that are to be renovated for other uses. (There will be no net increase in the number of residential rooms.) The new building will also include a therapy room kitchen, day room with dining, and a nurse's station. A paved drive will be constructed to provide access to the facility. A fence and mixed vegetative screen is proposed along a portion of the southern property line.
  7. **Traffic and Parking.** The City Traffic Engineer has no comments of concern regarding the subject petition. The proposed expansion is not expected to generate a significant amount of additional traffic.
  8. **Storm Water Management.** A stormwater management plan will be required for the project since new impervious areas will exceed 1,000 square feet. The increase in runoff will be managed through the use of an underground stormwater detention facility. A preliminary drainage review indicates that the receiving channel is adequate for the site's stormwater.  
  
Stormwater quality will be addressed by a water quality area adjacent to the proposed driveway. The proposed structure will receive driveway and rooftop runoff.  
  
The City Environmental Planner agrees with the proposed stormwater management strategy for the project.
  9. **Impact.** The proposed expansion of the facility will not result in an increase in the number of residential rooms. So, there will be little, if any, impact from the expansion. The primary concern is how the proposed expansion will fit into the neighborhood. To ensure that the facility blends in, the expansion will be constructed of substantially the same types of building materials used in the existing facility.

Robyn and David Johnsen, who reside in the adjoining property at 1215 Langhorne Road, sent a letter to the City indicating "serious reservations" about the proposed addition. A copy of the letter, dated November 14, 2004, is attached to this report. Representatives of The Williams Home met with the Johnsens, and the revised site plan shows that the addition to the home has been moved further from the adjacent property at 1215 Langhorne Road and meets setback requirements. The Williams Home has also agreed to construct a five-foot high fence along a portion of the property line and include a vegetative buffer between the Home and 1215 Langhorne. The Johnsens have told the Planning Division that they are sending a second letter to indicate that their concerns have been addressed. Copies of this letter will be distributed at the Planning Commission meeting.

The proposed access is off of Vassar Street, which will minimize conflicts between through traffic on Langhorne Road and traffic turning into the facility.

10. **Technical Review Committee.** The Technical Review Committee (TRC) reviewed the preliminary site plan on November 2, 2004. Comments related to the proposed use were minor in nature and have or will be addressed by the developer prior to final site plan approval.
  11. **Conditions.** According to Section 35.1-15 (f) of the Zoning Ordinance, the Planning Commission or City Council may impose any conditions deemed necessary or appropriate in approving a CUP.
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## **VI. PLANNING DIVISION RECOMMENDED MOTION**

**Based on the preceding Findings of Fact, the Planning Commission recommends to the City Council approval of the petition of The Williams Home for a conditional use permit at 1201 Langhorne Road for the use of the property as an expanded retirement facility in an R-1, Single-Family Residential District, subject to the following conditions:**

1. **The property will be developed in substantial compliance with the revised site plan prepared by Hurt & Proffitt, Inc., as received by the Department of Community Planning and Development on December 27, 2004.**
2. **The building will meet all building code requirements as determined by the Inspections Division.**
3. **Stormwater impacts will be mitigated using a combination of underground detention, Best Management Practices, and Low Impact Development standards. Practices are subject to the approval of the City's Environmental Planner.**
4. **Building materials, including brick, roofing, and windows, used in the addition will be substantially similar to those in the original Williams Home building, to the satisfaction of the City Planner.**
5. **Prior to approval of the final site plan, elevations of the proposed addition will be given to the City Planner and will be subject to his approval.**
6. **All lighting will be glare-shielded and nondirectional.**
7. **There will be a five-foot high fence and vegetative screen planted along the adjoining property line as indicated on the submitted site plan.**

This matter is respectfully offered for your consideration.

William T. Martin, AICP  
City Planner

pc: Mr. L. Kimball Payne, III, City Manager  
Mr. Walter C. Erwin, City Attorney

Ms. Rachel O. Flynn, Director of Community Planning & Development  
Mr. R. Douglas Dejarnette, Fire Marshal  
Mr. J. Lee Newland, Director of Engineering  
Mr. Gerry L. Harter, Traffic Engineer  
Mr. Robert Drane, Building Commissioner  
Mr. Robert S. Fowler, Zoning Official  
Mr. Kent White, Environmental Planner  
Mr. Patrick Proffitt, Representative

## **VII. ATTACHMENTS**

### **1. Vicinity Zoning Pattern**

(see attached map)

### **2. Vicinity Proposed Land Use**

(see attached map)

### **3. Site Plan**

(see attached site plans)

### **4. Narrative**

(see attached narrative)

### **5. Letter from Robyn & David Johnsen, dated November 15, 2004**

(see attached letter)

### **6. Letter from Leah Weiss, dated January 4, 2005**

(see attached letter)